

106TH CONGRESS  
1ST SESSION

# H. R. 3381

To reauthorize the Overseas Private Investment Corporation and the Trade and Development Agency, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 1999

Mr. MANZULLO (for himself, Mr. MENENDEZ, Mr. GILMAN, and Mr. GEJDENSON) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To reauthorize the Overseas Private Investment Corporation and the Trade and Development Agency, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Export Enhancement  
5       Act of 1999”.

6       **SEC. 2. OPIC ISSUING AUTHORITY.**

7       Section 235(a)(2) of the Foreign Assistance Act of  
8       1961 (22 U.S.C. 2195(a)(3)) is amended by striking  
9       “1999” and inserting “2003”.

1 **SEC. 3. IMPACT OF OPIC PROGRAMS.**

2 (a) ADDITIONAL REQUIREMENTS.—Section 231A of  
3 the Foreign Assistance Act of 1961 (22 U.S.C. 2191a)  
4 is amended—

5 (1) by redesignating subsection (b) as sub-  
6 section (c);

7 (2) by inserting after subsection (a) the fol-  
8 lowing new subsection:

9 “(b) ENVIRONMENTAL IMPACT.—The Board of Di-  
10 rectors of the Corporation shall not vote in favor of any  
11 action proposed to be taken by the Corporation that is  
12 likely to have significant adverse environmental impacts  
13 that are sensitive, diverse, or unprecedented, unless for at  
14 least 60 days before the date of the vote—

15 “(1) an environmental impact assessment or  
16 initial environmental audit, analyzing the environ-  
17 mental impacts of the proposed action and of alter-  
18 natives to the proposed action has been completed by  
19 the project applicant and made available to the  
20 Board of Directors; and

21 “(2) such assessment or audit has been made  
22 available to the public of the United States, locally  
23 affected groups in the host country, and host coun-  
24 try nongovernmental organizations.”; and

25 (3) in subsection (c), as so redesignated—

1 (A) by inserting “(1)” before “The Board”;  
 2 and

3 (B) by adding at the end the following:

4 “(2) In conjunction with each meeting of its Board  
 5 of Directors, the Corporation shall hold a public hearing  
 6 in order to afford an opportunity for any person to present  
 7 views regarding the activities of the Corporation. Such  
 8 views shall be made part of the record.”.

9 (b) EFFECTIVE DATE.—The amendments made by  
 10 subsection (a) shall take effect 90 days after the date of  
 11 the enactment of this Act.

12 **SEC. 4. BOARD OF DIRECTORS OF OPIC.**

13 Section 233(b) of the Foreign Assistance Act of 1961  
 14 (22 U.S.C. 2193(b)) is amended—

15 (1) by striking the second and third sentences;

16 (2) in the fourth sentence by striking “(other  
 17 than the President of the Corporation, appointed  
 18 pursuant to subsection (c) who shall serve as a Di-  
 19 rector, ex officio)”;

20 (3) in the second undesignated paragraph—

21 (A) by inserting “the President of the Cor-  
 22 poration, the Administrator of the Agency for  
 23 International Development, the United States  
 24 Trade Representative, and” after “including”;  
 25 and

1 (B) by adding at the end the following:

2 “The United States Trade Representative may  
3 designate a Deputy United States Trade Rep-  
4 resentative to serve on the Board in place of the  
5 United States Trade Representative.”; and

6 (4) by inserting after the second undesignated  
7 paragraph the following:

8 “There shall be a Chairman and a Vice Chairman  
9 of the Board, both of whom shall be designated by the  
10 President of the United States from among the Directors  
11 of the Board other than those appointed under the second  
12 sentence of the first paragraph of this subsection.”.

13 **SEC. 5. TRADE AND DEVELOPMENT AGENCY.**

14 (a) PURPOSE.—Section 661(a) of the Foreign Assist-  
15 ance Act of 1961 (22 U.S.C. 2421(a)) is amended by in-  
16 serting before the period at the end of the second sentence  
17 the following: “, with special emphasis on economic sectors  
18 with significant United States export potential, such as  
19 energy, transportation, telecommunications, and environ-  
20 ment”.

21 (b) CONTRIBUTIONS OF COSTS.—Section 661(b) of  
22 the Foreign Assistance Act of 1961 (22 U.S.C. 2421(b))  
23 is amended by adding at the end the following:

24 “(5) CONTRIBUTIONS TO COSTS.—The Trade  
25 and Development Agency shall, to the maximum ex-

1       tent practicable, require corporations and other enti-  
2       ties to—

3               “(A) share the costs of feasibility studies  
4               and other project planning services funded  
5               under this section; and

6               “(B) reimburse the Trade and Develop-  
7               ment Agency those funds provided under this  
8               section, if the corporation or entity concerned  
9               succeeds in project implementation.”.

10       (c) FUNDING.—Section 661(f) of the Foreign Assist-  
11       ance Act of 1961 (22 U.S.C. 2421(f)) is amended—

12               (1) in paragraph (1)(A) by striking  
13               “\$77,000,000” and all that follows through “1996”  
14               and inserting “\$48,000,000 for fiscal year 2000 and  
15               such sums as may be necessary for each fiscal year  
16               thereafter”; and

17               (2) in paragraph (2)(A), by striking “in fiscal  
18               years” and all that follows through “provides” and  
19               inserting “in carrying out its program, provide, as  
20               appropriate, funds”.

21       **SEC. 6. IMPLEMENTATION OF PRIMARY OBJECTIVES OF**  
22               **TPCC.**

23       The Trade Promotion Coordinating Committee  
24       shall—

1           (1) report on the actions taken or efforts cur-  
2           rently underway to eliminate the areas of overlap  
3           and duplication identified among Federal export pro-  
4           motion activities;

5           (2) coordinate efforts to sponsor or promote  
6           any trade show or trade fair;

7           (3) work with all relevant State and national  
8           organizations, including the National Governors' As-  
9           sociation, that have established trade promotion of-  
10          fices;

11          (4) report on actions taken or efforts currently  
12          underway to promote better coordination between  
13          State, Federal, and private sector export promotion  
14          activities, including co-location, cost sharing between  
15          Federal, State, and private sector export promotion  
16          programs, and sharing of market research data; and

17          (5) by not later than March 30, 2000, and an-  
18          nually thereafter, include the matters addressed in  
19          paragraphs (1), (2), (3), and (4) in the annual re-  
20          port required to be submitted under section 2312(f)  
21          of the Export Enhancement Act of 1988 (15 U.S.C.  
22          4727(f)).

23 **SEC. 7. TIMING OF TPCC REPORTS.**

24          Section 2312(f) of the Export Enhancement Act of  
25          1988 (15 U.S.C. 4727(f)) is amended by striking “Sep-

- 1 tember 30, 1995, and annually thereafter,” and inserting
- 2 “March 30 of each year,”.

